## DECLARATION OF JACK P. TUTTON CONCERNING THE SHOOTING DEATH OF ANTONIO GONZALES ON THURSDAY, JULY 16, 2015

STATE OF WISCONSIN )
) SS
MILWAUKEE COUNTY )

## I, JACK P. TUTTON, state as follows:

- 1. My name is Jack P. Tutton. My birth date is 1/15/1999.
- 2. I am a resident of Fort Worth, Texas.
- 3. In 2015, I was living with my aunt and uncle in Forth Worth, Texas, but after the school year, I came up to spend the summer with my father at his home, 8533 Glencoe Circle, Wauwatosa, WI 53226.
- 4. I was staying in the lower level of my father's home. My father was in the master bedroom on the main level. My father's friend and tenant, Antonio Gonzales ("Tony") was living in a bedroom on the second level.
- 5. On July 16, 2015, I returned home after spending the day with friends.
- 6. No one was home when I arrived in the late afternoon. I went to my bedroom in the lower level and dozed off. Mid-evening, I was awakened by Tony yelling something and being obnoxiously loud.
- 7. I got out of bed and grabbed my phone since I believed I might need to call the police.
- 8. I then went upstairs where Tony and my dad were.
- 9. I found Tony and my dad in the hallway between the stairway and the kitchen.
- 10. I saw my dad's back was toward the kitchen and Tony's right side was facing my dad.
- 11. I asked Tony if I could get by since he was blocking me.
- 12. I asked my dad if everything was okay because he looked scared and really nervous, like he was going to get hurt.
- 13. I asked my dad if I should call 911. He responded that he was already calling.
- 14. My dad had his phone in his left arm when Tony grabbed his arm and tried to cut it with an arrowhead from Tony's necklace.

- 15. My dad pulled away.
- 16. Tony was still blocking me from getting through and was threatening me with something to the effect: "Try me!"
- 17. I asked my dad to exit by the front door and I went out the side door and climbed over the fence to get to the front yard with my dad.
- 18. Somehow my dad managed to get by Tony and joined me in the front yard. Tony was trying to prevent my dad from coming out the front door.
- 19. I could see my dad was on the phone.
- 20. Tony followed my dad out to the front yard. Tony still had his arrowhead necklace in his hands.
- 21. I heard my dad say, while on his phone: "He's trying to hurt me."
- 22. Tony did not say much of anything. Then things suddenly "cooled down" with Tony.
- 23. At that point, Tony turned around and walked through the front door and up the stairs going to where his room was.
- 24. Tony walked calmly without saying anything to either myself or my dad.
- 25. I then saw a squad slowly pull up with its lights off, and I also heard a siren in the distance. As the squad pulled up, Tony was going into the house. I heard my father say something to Tony to the effect: "Be smart about it."
- 26. The police officer got out of the marked squad and was in uniform. The officer instructed both my dad and myself to go towards the back of the house.
- 27. I moved back to the driveway and I told my dad: "Dad, come on."
- 28. Another marked squad pulled up. The officer was in full uniform and went to the front of his car. The second officer then moved to the grass next to the first officer.
- 29. Tony then started to come down the stairs of the house. As Tony was coming down, I heard "clacking" and I saw he had a sword and some sort of bottle.
- 30. I was aware that Tony had a knife in his room. I was not aware he had a sword or swords.
- 31. Tony came out the door without saying anything.

- 32. Tony stopped and was standing about 4 feet from the front door after coming out the door. The sword was in the sheath while he was looking directly at the police. Tony was about 10 feet from the officers at that point.
- 33. The officers had their guns out. One or both officers started yelling: "Stop, don't move anymore!", followed by "Don't move! "Stay there!" "Drop your weapons!"
- 34. After about 5 seconds, Tony took the sword out of the sheath while he was standing stationary.
- 35. The officers continued to shout: "Stay there, drop your weapons!" constantly.
- 36. Tony then started waving the sword around.
- 37. Tony then took 2 steps towards the officers, continuing to wave what looked like a Samurai sword around, and the officers fired what sounded like 5-8 shots.
- 38. Tony fell straight down to the ground.
- 39. I then moved from my vantage point to the back of the house to see if my dad was okay.
- 40. My dad and I then accessed the garage and went upstairs where we were met by the police.

Dated this 22 day of July, 2022.

JACKA TUTTON

Subscribed & sworn to before me this ZZ day of July, 2022.

Douglas R. Stern

Notary Public, State of Wisconsin

My Commission is permanent

This notarial act involved the use of communication technology.

